

### **REMARKS**

In response to the Advisory Action mailed September 9, 2009, the Assignee (Nuance Communications, Inc.) respectfully requests reconsideration.

#### **I. Summary of Telephone Conference With Examiner**

The Assignee's representatives Daniel T. Wehner and Richard F. Giunta thank Examiners Pullias and Smits for the courtesies extended in granting and conducting a telephone interview on October 7, 2009, the substance of which was summarized herein. As discussed in more detail below, a distinction between updating the speech models in the common vocabulary 48 of Gould and updating a list of alternatives in an entry in the lexicon of alternatives as recited in each of the independent claims was discussed. The Examiners appreciated this distinction and indicated that amendments made to clarify the distinction would appear to distinguish over the cited references.

#### **II. Rejections Under 35 U.S.C. §103**

The Advisory Action maintains the rejections set forth in the Final Office Action mailed June 29, 2009, which rejects claims 1-8, 13, 14 and 17 (including independent claims 1, 2, and 7) are under 35 U.S.C. 103(a) as purportedly being obvious over International Application No. WO 01/31634 ("Mishelevich") in view of U.S. Patent No. 5,794,189 ("Gould"). In view of the amendments herein, the Assignee respectfully requests reconsideration

##### **A. The Purported Combination of Mishelevich and Gould Fails to Disclose or Suggest All Limitations of Independent Claims 1, 2, and 7**

###### ***i. Independent Claim 1***

Amended claim 1 includes a limitation that recites, "...a lexicon of alternatives, the lexicon of alternatives comprising a plurality of entries, at least some of which are displayed by the correction device as a list of alternatives to individual word parts, words and/or word sequences of the recognized text, **wherein the list of alternatives for at least some of the plurality of entries in the lexicon of alternatives displayed for a particular individual word part, word, and/or word**

**sequence is updated based on information about at least one previous correction made by the correction device for the particular individual word part, word, and/or word sequence** (emphasis added).” Neither Mishelevich nor Gould discloses or suggests the above-highlighted limitation of claim 1.

As discussed during the telephone interview, some portions of Gould are directed to a short term speech recognition error correction procedure in which a user is allowed to correct speech recognition errors in a predetermined number of the user’s last utterances (Gould, col. 9, lines 47-49). Specifically, the portions of Gould cited by the Advisory Action to support the rejection refer to modifying displayed text and *training the speech models* of the speech recognition system if a user agrees with a correction proposed by the system of Gould (Gould, col. 11, lines 21-26). That is, when a user agrees with a proposed correction, the system of Gould determines that this modification was made to correct a speech recognition error (rather than to change content) and information about a comparison between the selected correction and the original text is used to retrain the speech models to improve future speech recognition.

The Advisory Action appears to assert that the common vocabulary 48 of Gould is a lexicon of alternatives (Advisory Action, page 3). However, as discussed during the telephone interview, even if the common vocabulary 48 of Gould were to be considered a lexicon of alternatives, which the Assignee does not concede, none of the entries in the common vocabulary 48 of Gould are displayed as a list of alternatives to individual word parts, words and/or word sequences of the recognized text, wherein *the list of alternatives* for at least some of the plurality of entries in the lexicon of alternatives displayed for a particular individual word part, word, and/or word sequence **is updated based on information about at least one previous correction** made by the correction device for the particular individual word part, word, and/or word sequence, as required by claim 1. By contrast, when the system of Gould determines that a modification was made to correct a speech recognition error, *the speech models* (not a list of alternatives to individual word parts, words, and/or word sequences) are updated to improve future speech recognition.

For at least these reasons, claim 1 patentably distinguishes over the combination of Mishelevich and Gould and it is respectfully requested that the rejections under 35 U.S.C. §103 be withdrawn.

*ii. Independent Claim 2*

Amended claim 2 is directed to a correction device and recites, "...a storage device configured to store a lexicon of alternatives comprising a plurality of entries, at least some of which are displayed by the correction device as a list of alternatives to individual word parts, words and/or word sequences of the recognized text, **wherein the list of alternatives for at least some of the plurality of entries in the lexicon of alternatives displayed for a particular individual word part, word, and/or word sequence are updated based on information about at least one previous correction made by the correction device for the particular individual word part, word, and/or word sequence** (emphasis added)."

As should be appreciated from the foregoing, claim 2 patentably distinguishes over the combination of Mishelevich and Gould and it is respectfully requested that the rejection under 35 U.S.C. §103 be withdrawn. Claims 3-6 depend from claim 2 and are allowable for at least the same reasons.

*iii. Independent Claim 7*

Amended claim 7 recites, "...including the text elements that can be confused with one another as a list of alternatives in the entry of the lexicon of alternatives; wherein the list of alternatives in the entry is updated based, at least in part, on at least one previous correction of the recognized text."

As should be appreciated from the foregoing, neither Mishelevich nor Gould discloses a list of alternatives that is updated based, at least in part, on at least one previous correction of the recognized text, as required by amended claim 7. Accordingly, claim 7 patentably distinguishes over the combination of Mishelevich and Gould and it is respectfully requested that the rejection under 35 U.S.C. §103 be withdrawn. Claims 8-17 depend from claim 7 and are allowable for at least the same reasons.

III. General Comments on Dependent Claims

Since each of the dependent claims depends from a base claim that is believed to be in condition for allowance, for the sake of brevity, the Assignee believes that it is unnecessary at this time to argue the further distinguishing features of the dependent claims. However, the Assignee does not necessarily concur with the interpretation of the previously presented dependent claims as set forth in the Office Action, nor does the Assignee concur that the basis for rejection of any of the previously presented dependent claims is proper. Therefore, the Assignee reserves the right to specifically address the further patentability of the dependent claims in the future.

**CONCLUSION**

In view of the above amendment, the Assignee believes the pending application is in condition for allowance. A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, the Assignee hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, the Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed, or which should have been filed herewith to our Deposit Account No. 23/2825, under Docket No. N0484.70060US00 from which the undersigned is authorized to draw.

Dated: October 29, 2009

Respectfully submitted,

*Nuance Communications, Inc.*

By 

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